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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/641,338 | 08/18/2000 | Kazuaki Kidokoro | 016907/1110 | 7200 |

22428 7590 07/15/2004

FOLEY AND LARDNER
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EXAMINER

RAHIMI, IRAJ A

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/641,338

Applicant(s)

KIDOKORO ET AL.

Examiner

(Iraj) Alan Rahimi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5,7,9 and 11 is/are rejected.
- 7) ☒ Claim(s) 2,4,6,8,10 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Maniwa (US patent 5,764,866).

Regarding claim 1, Maniwa discloses an image processing apparatus comprising:

a scanner 14 for reading an image from a document;

a designation button for associating document read processing performed by the scanner with processing performed with respect to the image read by the scanner (column 3, lines 13-26 and column 14, lines 25-52; Fig. 5);

an input (operational panel 18) section for inputting output contents which represent processing results preset for the designation button, when results of processing preset for the designation button are output;

a controller 12 for controlling execution of the processing preset for the designation button when the designation button is operated; and

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output means (print engine 15) for outputting processing results in accordance with the output contents which represent processing results and which are input from the input means, when the processing preset for the designation button is executed by the controller (Fig. 5).

Regarding claim 3, Maniwa discloses an image processing apparatus according to claim 1, wherein said input section includes a setting button used for confirming whether or not the processing performed with respect to the image read by the scanner should be continued after the image that is read by the scanner under control performed by the control section is output (column 17, lines 49-52).

Regarding claims 5 and 9, arguments analogous to those presented for claim 1, are applicable. Maniwa also discloses a digital copier 4, which also has printer for forming image.

Regarding claim 7 and 11, arguments analogous to those presented for claim 3, are applicable.

Allowable Subject Matter

3. Claims 2, 4, 6, 8, 10 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Other Prior Art Cited

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hashimoto et al. (US patent 5,907,319) discloses image forming apparatus promoting easy function setting.

Matsumoto et al. (US patent 6,301,611) discloses a communication apparatus that discriminates a function corresponding to the analyzed data.

Asuma et al. (US patent 5,684,970) discloses icon menu display method and apparatus.

Akiba (US patent 6,559,967) discloses personal boxes provided in a copier connected to a host.

Moffatt (US patent application 2003/0214664) discloses programming printer function keys.

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to (Iraq) Alan Rahimi whose telephone number is 703-306-3473.

The examiner can normally be reached on Mon.-Fri. 7:30-4:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AR

Alan Rahimi
June 15, 2004


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